

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Eriberto Valdez

Case Number: 0980 2:12CR06042-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, U.S. District Judge

Date of Original Sentence: April 5, 2013

Original Offense: Possession of Ammunition by a Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 39 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: June 12, 2015

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: June 11, 2018

PETITIONING THE COURT

To issue a bench warrant and incorporate the violations contained in this petition with the violations previously reported to the Court on 10/22/2015.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
5	<p><u>Special Condition #4:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> Eriberto Valdez is considered to be in violation of his supervised release by failing to report for random drug tests on November 4, 2015, and November 19, 2015.</p>
6	<p><u>Special Condition #3:</u> You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.</p> <p><u>Supporting Evidence:</u> Eriberto Valdez is considered to be in violation of his supervised release by failing to report for chemical dependency treatment on November 19, 2015, as directed.</p>

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Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Eriberto Valdez is considered to be in violation of his supervised release by committing the offense of theft on or prior to November 13, 2015.

According to reports from the Kennewick Police Department, it is alleged the defendant stole a bottle of brandy from Albertsons in Kennewick. Video footage from the surveillance cameras in the store were reviewed and witnesses were interviewed. The defendant was contacted at his residence and interviewed about the theft. Upon completing the interview, the defendant was arrested and taken to the Benton County Jail. The defendant was charged under case number 5Z1169859 in Benton County District Court. The defendant was later released after posting bail.

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Special Condition # 3: You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Eriberto Valdez is considered to be in violation of his supervised release by failing to report for inpatient drug treatment on or prior to November 23, 2015.

On October 21, 2015, the defendant was referred for inpatient drug treatment at James Oldham Treatment Center after testing positive for the use of controlled substances and failing to report for multiple random urinalysis tests. The defendant was scheduled to enter inpatient treatment on November 23, 2015. The defendant failed to report to the facility to begin treatment.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/1/2015

s/David L. McCary

David L. McCary
U.S. Probation Officer

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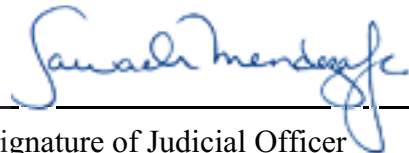
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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

12/01/2015

Date